

VALERIE G. DUGAN
BRIAN M. DUGAN, PH.D.

DUGAN & DUGAN, PC
PATENTS, TRADEMARKS & COPYRIGHTS
55 SOUTH BROADWAY
TARRYTOWN, NY 10591

(914)332-9081 TELEPHONE
(914)332-9082 FACSIMILE
DUGANEMAIL@DUGANPATENT.COM

FACSIMILE COVER SHEET

RECEIVED
CENTRAL FAX CENTER

SEP 21 2004

September 21, 2004

PLEASE DELIVER THE ATTACHED MESSAGE TO:

Examiner: Henry M. Johnson, III Phone No.: (703-305-0910
Fax No.: (703) 872-9306
From: Steven M. Santisi, Esq.

Our File No.: Docket No. LS-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Glenn Butler
Serial No. : 10/613,608
Filed : July 3, 2003
For : METHODS AND APPARATUS FOR LIGHT THERAPY
Examiner : Henry M. Johnson, III
Group Art Unit : 3739
Customer No. : 31647

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 4

Certificate of Mailing/Transmission (37
C.F.R. Section 1.8(a))
I hereby certify that, on the date shown
below, this correspondence is being

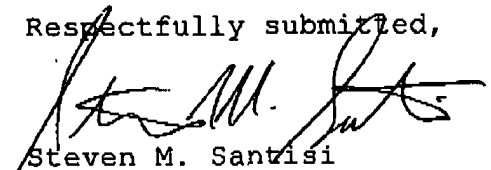
☒ transmitted by facsimile to the U.S.
Patent and Trademark Office


Signature

September 21, 2004
Date

STEVEN M. SANTISI
(name of person certifying)

Respectfully submitted,


Steven M. Santisi
Attorney for Applicants
Registration No. 40,157
(914) 332-9081

* * *

THIS FACSIMILE IS INTENDED ONLY FOR THE USE OF THE
ADDRESSEE. THE CONTENT OF THIS FACSIMILE IS PRIVILEGED
AND CONFIDENTIAL. IF YOU HAVE RECEIVED THIS FACSIMILE
IN ERROR, OR IF YOU HAVE NOT RECEIVED LEGIBLE COPIES OF
ALL PAGES, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY.

* * *

Docket No. LS-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER
SEP 21 2004

Re: Inventor(s): Glenn Butler
Title: METHODS AND APPARATUS FOR LIGHT THERAPY
Serial No.: 10/613,608
Filed: July 3, 2003
Examiner: Henry M. Johnson, III
Group Art Unit: 3739

Transmitted herewith is:

- ☒ Telephonic Interview
☒ Transmittal in duplicate
☒ Fax cover sheet

FEE CALCULATION					
Fee Items	Highest No. of Claims Previous Paid	Present No. of claims	Extra Claims	Fee Rate	Total
Total Claims	20	16	0	X \$18.00	\$0.00
Independent Claims	7	7	0	X \$86.00	\$0.00
Basic Filing Fee				\$770.00	PAID
TOTAL FEES					\$0.00

The Commissioner is hereby authorized to charge \$00 to Deposit Account No. 04-1696.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1696. A duplicate copy of this transmittal is enclosed.

☒ Please address all future correspondence to:

Customer # 31647
Dugan & Dugan, PC
55 South Broadway
Tarrytown, NY 10591

Certificate of Mailing/Transmission (37 C.F.R. Section 1.8(a))
I hereby certify that, on the date shown below, this
correspondence is being

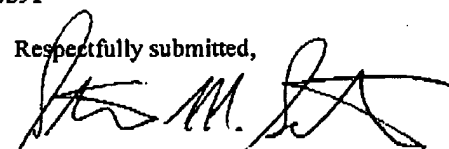
☒ transmitted by facsimile to the U.S. Patent and Trademark
Office


Signature

September 21, 2004
Date

STEVEN M. SANTISI
(name of person certifying)

Respectfully submitted,


Steven M. Santisi
Attorney for Applicants
Registration No. 40,157
(914) 332-9081

Application No. 10/613,608
Attorney Docket No.: LS-001

RECEIVED
CENTRAL FAX CENTER
PATENT
SEP 21 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:
Glenn Butler

Application No.: 10/613,608

Filed: July 3, 2003

For: METHODS AND APPARATUS FOR
LIGHT THERAPY

Customer No. 31647

) Group Art Unit: 3739

) Examiner: Henry M. Johnson III
) (703) 305-0910/phone
) (703) 872-9306/fax

) INTERVIEW SUMMARY

) Attorney Docket No. LS-001

) Dugan & Dugan, PC
) 55 South Broadway Ave.
) Tarrytown, NY 10591

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being
transmitted via facsimile to: Mail Stop Amendment,
Commissioner for Patents, PO Box 1450, Alexandria VA
22313-1450, on September 21, 2004.

Dated: 9/21/2004

By:

Steven M. Santisi

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Dear Sir:

Please find attached a record of a telephonic interview held
in the above referenced application.

Application No. 10/613,608
Attorney Docket No.: LS-001

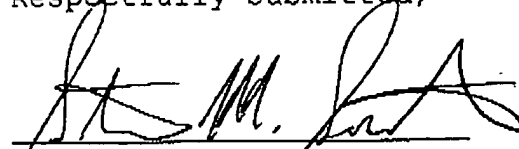
PATENT

INTERVIEW SUMMARY

On August 16, 2004 a telephonic interview was held with Examiner Henry Johnson, Applicant Glenn Butler, and Applicant's representative Steven Santisi, to discuss the above captioned case. Specifically, independent Claims 1, 10, and 11 were discussed with regard to U.S. Patent No. 4,930,504 to Diamantopoulos et al. and U.S. Patent No. 5,860,967 to Zavislan et al. Applicants explained that neither reference teaches or even suggests a "light emitting diode array to be **repeatably** positioned on a target area" (emphasis added) as recited in Applicants' claims.

While no formal agreement was reached as to the allowability of any additional claims (Claim 9 was previously indicated to be allowable), the Examiner did acknowledge that the references do not suggest the use of a ranging mechanism to repeatably locate a treatment array. The Examiner did suggest however, that Applicants consider U.S. Patent No. 6,669,684 and 5,562,656 for their teachings of using ranging devices in ophthalmologic surgery. No other art was discussed.

Respectfully Submitted,



Steven M. Santisi, Esq.

Registration No. 40,157

Dugan & Dugan, PC

Attorneys for Applicants

(914) 332-9081

Dated: September 21, 2004
Tarrytown, New York